

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ALEX PERRY NEAL

VS.

STATE OF TEXAS

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CIVIL ACTION NO. 4:19cv724

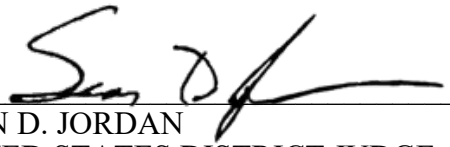
ORDER OF DISMISSAL

This case were referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation concluding Petitioner's case should be dismissed without prejudice. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such actions, has been presented for consideration. On January 28, 2020, the Magistrate Judge ordered Petitioner to complete the § 2254 form fully and legibly, and to submit it to the Court within thirty days of that Order. Petitioner has failed to do so. Petitioner was also ordered to either pay the \$5.00 filing fee or submit an application to proceed *in forma pauperis*. Again, Petitioner has not complied. Finally, Petitioner was ordered to provide the Court with a physical address, in compliance with Local Rule CV-11(d), which requires *pro se* litigants to provide the Court with a physical address. On March 4, 2020, the January 28, 2020 Order, which had been sent to Petitioner at his last known address, was returned, marked as "return to sender, refused, and unable to forward." (Dkt. # 16).

No objections having been timely filed, the Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** the petition for writ of habeas corpus is **DENIED**, and the case is **DISMISSED** without prejudice. A certificate of appealability is **DENIED**. It is further **ORDERED** all motions by either party not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 22nd day of May, 2020.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE